

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Nov 07, 2024**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dan Elliott Ochs

Case Number: 0980 2:11CR00026-MKD-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Mary K. Dimke, U.S. District Judge

Date of Original Sentence: October 26, 2011

Original Offense: Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B)

Original Sentence: Prison - 120 Months; Type of Supervision: Supervised Release
TSR - LifeRevocation Sentence: Prison - 11 Months;
(May 19, 2021) TSR - 120 Months

Asst. U.S. Attorney: U.S. Attorney's Office Date Supervision Commenced: April 1, 2022

Defense Attorney: Lorinda Meier Youngcourt Date Supervision Expires: March 31, 2032

PETITIONING THE COURT**To issue a SUMMONS.**

On April 1, 2022, Mr. Dan Ochs signed his conditions relative to case number 2:11CR00026-MKD-1, indicating that he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Standard Condition #13: You must follow the instructions of the probation officer related to the conditions of supervision.

Supporting Evidence: Mr. Ochs is alleged to have violated standard condition number 13 by downloading an unapproved dating application on or about November 2, 2024, in conflict with the agreed upon instructions provided to him by the undersigned officer on multiple occasions, and most recently occurring on or about October 16, 2024.

On October 16, 2024, the undersigned officer conducted scheduled employment contact with Mr. Ochs at his current place of employment, in part to address ongoing flagged content notifications received from the subject's installed monitoring software. Specifically, on October 16, 2024, monitoring software had flagged a message sent to Mr. Dan Ochs through

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a dating application in which the third party had asked Mr. Ochs if he wanted to watch her masturbate. At the time of the scheduled employment contact, Mr. Ochs had been previously directed by the undersigned officer on a multitude of occasions that he was only to use two reputable dating applications, chosen by him, which were to be approved in advance by the undersigned officer in an attempt to avoid such instances. Such instances have been becoming more common in recent months. Mr. Ochs was again reminded that he was not to download or use dating applications without the approval of the U.S. Probation Office.

On November 2, 2024, Mr. Ochs engaged in a text-based conversation with a third party in which they discussed what Mr. Ochs enjoyed in regard to sex. This conversation, as well as a search conducted by Mr. Ochs for an Internet phone sex number, which Mr. Ochs subsequently called, were both flagged by monitoring software. A more thorough inspection of his usage revealed Mr. Ochs had downloaded, utilized, and then deleted from his phone a previously unapproved dating application on November 2, 2024.

On November 4, 2024, Mr. Ochs reported to the U.S. Probation Office, during which he was confronted as to his use of an unapproved dating application, which he ultimately admitted, indicating his awareness that the undersigned officer had previously directed him to seek approval of all utilized dating applications prior to installing them on his device.

It should be noted that Mr. Ochs has on several occasions stated he has received inappropriate content, to include naked imagery, without consent or request, simply by utilizing dating applications of ill repute.

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Special Condition #13: You are prohibited from possessing or manufacturing any material, including videos, magazines, photographs, computer-generated depictions, or any other media that depict sexually explicit conduct involving children or adults, as defined at 18 U.S.C. § 2256(2). You must not enter any establishment involved in the sex-related industry, including but not limited to adult bookstores, massage parlors, and strip clubs. You must not utilize any sex-related adult telephone numbers. The supervising officer is authorized to monitor compliance in this area by obtaining relative records including but not limited to telephone, Internet, credit cards and bank statements

Supporting Evidence: Mr. Ochs is alleged to have violated special condition number 13 by contacting an advertised telephone sex number on at least three separate occasions occurring on November 2 and 3, 2024.

On November 2, 2024, Mr. Ochs engaged in a text-based conversation with a third party in which they discussed what Mr. Ochs enjoyed in regard to sex. This conversation, as well as a search conducted by Mr. Ochs for an Internet phone sex number, were both flagged by monitoring software. A more thorough inspection of his usage revealed, on November 2, 2024, at 2:35 p.m., Mr. Ochs conducted a Google search for “night connect.” Upon conducting the search, monitoring software then captured the self advertised description of the website which appeared on Mr. Ochs’s phone, which stated, “Phone sex | Adult Chat Lines with Free Trial.” A Google search of the same term conducted by the U.S. Probation Office resulted in the same displayed website description. Mr. Ochs saved the local phone number in his phone, and then placed a call to the number on November 2, 2024, at 3:24 p.m., that lasted for 45 minutes. Mr. Ochs again contacted the number on November 2, 2024, at 4:19 p.m. that lasted for 29 minutes, and again on November 3, 2024, at 6:15 p.m. that lasted for 9 minutes.

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On November 4, 2024, Mr. Ochs reported to the U.S. Probation Office and he was confronted as to his use of the telephone sex line. Mr. Ochs admitted to calling the service, but claimed that he did not see the website Internet listing that advertised the website as a phone sex line, stating his belief that it was simply a number to speak with local singles. Mr. Ochs did acknowledge during his interaction with the service that he believed several of the other participants were adult actors.

The U.S. Probation Office respectfully recommends the Court **issue a SUMMONS** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 6, 2024

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

11/6/2024

Date